

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—GENERAL

Case No. CV 22-7645-DMG (AFM) Date February 23, 2023

Title *Edward LaCour v. L.A. Cnty. Sheriff's Dep't* Page 1 of 1

Present: The Honorable DOLLY M. GEE, UNITED STATES DISTRICT JUDGE

KANE TIEN
Deputy Clerk

NOT REPORTED
Court Reporter

Attorneys Present for Plaintiff(s)
None Present

Attorneys Present for Defendant(s)
None Present

Proceedings: [IN CHAMBERS] ORDER TO SHOW CAUSE WHY CASE SHOULD NOT BE DISMISSED FOR FAILURE TO PROSECUTE

On December 20, 2022, the Court granted Plaintiff's request to proceed *in forma pauperis* ("IFP"). Because Plaintiff is incarcerated, permission to proceed IFP means that he must still pay the \$350 filing fee for this action in installments, including an initial partial filing fee. *See* 28 U.S.C. § 1915(b).¹ In this case, pursuant to 28 U.S.C. § 1915(b)(1), the Court assessed an initial partial filing fee of \$20.00, which was due to the Court within 30 days of December 20, 2022. [Doc. # 10.] The Court has not received this payment.

The Court **ORDERS** Plaintiff to show cause why this action should not be dismissed for failure to prosecute. By no later than **March 23, 2023**, Plaintiff shall either pay the initial partial filing fee of \$20.00 or explain why he is unable to do so. *See* 28 U.S.C. § 1915(b)(4) ("In no event shall a prisoner be prohibited from bringing a civil action or appealing a civil or criminal judgment for the reason that the prisoner has no assets and no means by which to pay the initial partial filing fee."); *Taylor v. Delatoore*, 281 F.3d 844, 851 (9th Cir. 2002). Failure to either pay the filing fee or respond to this Order shall result in dismissal of this matter for failure to prosecute and to comply with a Court order.

IT IS SO ORDERED.

¹ Further, "[a]fter payment of the initial partial filing fee, the prisoner shall be required to make monthly payments of 20 percent of the preceding month's income credited to the prisoner's account. The agency having custody of the prisoner shall forward payments from the prisoner's account to the clerk of the court each time the amount in the account exceeds \$10 until the filing fees are paid." 28 U.S.C. § 1915(b)(2).